

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

**DEFENDANTS' MOTION TO DISMISS THE COMPLAINT IN ITS ENTIRETY
PURSUANT TO FED. R. CIV. P. 12(B)(6)**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Banner Health d/b/a Wyoming Medical Center, Inc. (“Banner”), along with Individual Defendant Lance Porter, and Individual Defendant Patti Farmer (collectively, the “Individual Defendants”) respectfully request this Court dismiss *pro se* Plaintiff Jeremy E. Smith’s Complaint for Violation of Civil Rights at [ECF Dkt. No. 1] (“Complaint”), in its entirety, and with prejudice.

Consistent with Wyoming Local Civil Rule 7.1(b)(2)(A), Defendants are filing contemporaneously with this Motion, a Brief in Support of Defendants' Motion to Dismiss the Complaint in its Entirety ("Brief"). That Brief contains a statement of argument and authority.

WHEREFORE, for all the reasons set forth in the Brief, the Defendants respectfully request this Court dismiss Plaintiff's Complaint with prejudice, and for any other relief this Court deems just and proper.

DATED this 12th day of October, 2022.

s/ Matthew C. Freemann

Matthew C. Freemann (7-5689)
Littler Mendelson, P.C.
1900 Sixteenth Street, Suite 800
Denver, Colorado 80202-5835
Telephone: 303.362.2840
Email: MFreemann@littler.com

Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on October 12th, 2022, a true and correct copy of the foregoing document, **DEFENDANTS' MOTION TO DISMISS THE COMPLAINT IN ITS ENTIRETY PURSUANT TO FED. R. CIV. P. 12(B)(6)** was filed via the CM/ECF system, Email, and U.S. Mail to the following:

Jeremy E. Smith
6043 Overlook Way
Casper, WY 82604
Telephone: 615-838-6655
Email: Jeremy.Smith070@gmail.com

Pro Se Plaintiff

/s/ Matthew Freemann

Matthew C. Freemann